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**NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)  
SCH-1722

In re Application of

Johannes PLATZEK et al

Application Number

09/672,049

Filed

September 29, 2000

For GALENICAL FORMULATIONS

Group Art Unit

1617

Examiner

Lauren Q. WELLS

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, June 16, 2004, rejecting the following claims: 1-5, 16, 21-25 and 29-40.

The fee for this Notice of Appeal is (37 CFR 1.17(b))

\$ 340.00.

☐ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:

\$ \_\_\_\_.

☒ A check in the amount of the fee is enclosed.

☐ Payment by credit card. Form PTO-2038 is attached.

☐ The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 13-3402. I have enclosed a duplicate copy of this sheet.

☒ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

☐ applicant/inventor.

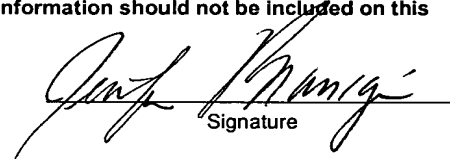
☐ assignee of record of the entire interest. See 37 CFR 3.71.

Statement under 37 CFR 3.73(b) is enclosed.

☒ attorney or agent of record.

☐ attorney or agent acting under 37 CFR 1.34(a).

Registration number if acting under 37 CFR 1.34(a): \_\_\_\_.

  
Signature

Jennifer J. Branigan, Reg. No. 40,92

Typed or printed name

October 18, 2004

Date

10/22/2004 FFANIA2 00000010 09672049

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340.00 OP

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below\*.

☐ \*Total of \_\_\_\_ forms are submitted.

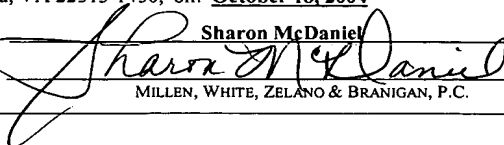
**CERTIFICATION OF MAILING**

I hereby certify that this correspondence is being deposited with the U.S. Postal Services as First Class Mail in an envelope addressed to: Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on: October 18, 2004

Name:

Sharon McDaniel

Signature:

  
MILLEN, WHITE, ZELANO & BRANIGAN, P.C.